

Class times: Mondays & Wednesdays 9:40 am – 11:50 am
Location: 100 McAllister Tower, Third Floor, large seminar room (inside CJC)

COURSE OVERVIEW AND SYLLABUS

Introduction

In the Community Economic Development (CED) Clinic, you will counsel community groups, advocacy organizations, social service providers, and businesses in the Tenderloin and other low-income neighborhoods on community development issues. Projects vary each year, but typically involve advocacy and counsel related to proposed land-use developments, to ensuring that residents of the Tenderloin and other low-income communities benefit from new economic initiatives (or are protected from their adverse consequences), and to participating in City policymaking around development issues. The Clinic focuses on the intersection of law, policy, and politics, revealing the full complexity and institutional infrastructure of the Tenderloin and the San Francisco community advocacy network and the range of skills and knowledge that lawyers must cultivate to operate effectively.

As you will experience, the Clinic (including its seminar and fieldwork) operates on three levels simultaneously:

- You will be introduced to the mix of economic, social, political, and legal concerns that underlie and comprise CED work (and contextualized problem-solving more generally).
- You will consider explicitly your role responsibilities as a lawyer and the kinds of knowledge, perspectives, and skills you must develop to work effectively.
- You will have real-world responsibility for initiating and carrying out thorough legal research and factual investigation on behalf of community clients, working collaboratively with community actors (and with each other), participating in grassroots meetings and/or public hearings, and drafting high-quality informational and advocacy documents.

Whatever direction your legal career may take, the aim is to help you develop a sophisticated understanding of what it takes to be a responsive and effective lawyer in complex economic, social, and political situations.

Student Learning Objectives

- Students will **take initiative and responsibility to** thoroughly, wisely, and timely **advise community clients** on complex issues of law and policy and to assist them to lay the factual foundation to support their initiatives.

In meeting this objective, students will:

- recognize, probe, frame, and prioritize a client's full range of goals (legal, political, institutional, economic, procedural, moral, etc.);
- understand the full context and network of relationships in which clients and issues are situated;
- assess, interpret, and frame issues and situations from multiple diverse perspectives or vantage points;
- conduct thorough legal research and independently learn new areas of law;

- develop new facts to enhance clients' positions and arguments;
 - fashion factual and legal arguments and analyses that take into account contrary points of view;
 - effectively translate and clearly communicate legal concepts and procedures to clients, lay people, and experts in other domains
 - write clearly, concisely, and understandably for specific audiences
 - organize and manage work by devising, tracking, modifying and timely implementing a case plan to accomplish client goals.
 - identify the impact of personal emotions, beliefs, values, traits, habits, and style preferences on assessments of situations and interactions with others.
 - maintain client confidentiality and promptly recognize, discuss, and resolve ethical issues as they arise
 - conduct themselves with integrity and professionalism
- Students will **collaborate effectively** with student partners, their instructor, clients, and community group members, proactively identifying, confronting, and resolving miscommunications or misunderstandings (including those resulting from cross-cultural misunderstanding).
 - Students will perceptively **observe, assess, and reflect** upon their interactions and initiatives in their fieldwork, will identify the impact of personal emotions, beliefs, values, traits, and style preferences on their assessments of situations and interactions with others, will recognize areas of strength and areas for potential improvement, and will identify and implement adjustments to continually improve.
 - Students will **enhance collective knowledge and understanding** by substantially contributing to classroom discussions of readings and “rounds” discussions of projects, giving and receiving effective feedback, actively engaging with guest presenters, and keeping themselves and each other up-to-date on key developments affecting our clients, projects, and the larger economic and political field in which our work is situated.

Project Work

The Clinic will again this semester continue its ongoing counsel of a broad, citywide community-labor coalition in efforts to monitor the implementation of a development agreement promising a broad spectrum of community benefits. We will also advise a citywide membership organization of non-profit housing developers and tenants advocates on two different matters related to the levy and use of impact fees and other mitigation measures to stabilize community service organizations and small businesses from the impact of new development. Projects will be assigned to 2-person or 3-person student teams at the beginning of September.

In addition to advising clients (and as a means to enhance our contextualized problem-solving), we will also be compiling institutional information on the Tenderloin and neighboring low-income and mixed-income neighborhoods. Over the years, CED students have interviewed a broad range of stakeholders living and working in the Tenderloin and have distilled those interviews into written “Tenderloin Chronicles” for future students to read and augment. You will continue this tradition.

Field and Office Hours

The usual estimate is that **you will average at least 16-20 hours of project fieldwork each week. This estimate is not a cap. There will be weeks where you will have to spend more time on your project work** – my hope is that you will be excited to do so. **As in all law practice, the**

expectation is that you will put in as much time as necessary to successfully complete your project assignments and meet obligations to our clients. Please alert me immediately in advance of any impediments that may arise to your putting in the necessary time, so that we can work together on a solution.

As in other clinics, the expectation is that, if your project is not completed, **you will continue to be responsible for fieldwork through the end of exams**, i.e. through December 17, 2014. (Associate Academic Dean Field has demonstrated a willingness to move exams back when they conflict with key events, such as hearings or public presentations, in clinics.) With advance planning and notice to me and your clinic partner(s), it should be possible to ensure that each of you have at least 72 hours before each exam in which you can be relieved of fieldwork duty.

To facilitate your logistical ability to work together with your partner(s) and to schedule meetings with each other and with me, you will each need to **set aside in your regular weekly schedule at least two 4-hour blocks of time** (and preferably three such blocks of time) **on at least two different days of the week that you and your partner(s) will work together in the clinic.** The ability of potential partners to identify overlapping hours to work together will be an important factor in assigning projects to student teams. You and your partner(s) will also set **a regular time for a weekly one-hour meeting with me** to discuss your project.

Field Notes

To keep track of your work and encourage your ability to be reflective about what you are experiencing, you will prepare and turn in weekly field notes. The notes should include:

- a detailed description of your activities of the past week – including the results of your research, meetings, etc. – and what you anticipate doing during the next week;
- an account and breakdown of the hours you spent on your fieldwork;
- an agenda for issues to discuss in our regular weekly meeting;
- your reactions (both thoughts and feelings) to the work and to the individuals and institutions with whom you interact;
- what you learned from the experience (i.e. what worked well, anything that might have been done differently, how the work met or failed to meet your expectations, what you learned about yourself, etc.);
- an examination of whether and how seminar readings and classroom discussions enhanced your work or your reflection on it – or how readings or discussion might better enhance your work.

You should also keep in mind the 12 components of the first learning goal listed above, as well as the second learning goal, as topics to address and elaborate on in your field notes.

These field notes should be as long as necessary to describe and reflect upon your activities. **A rough estimate is that the notes will run 2-5 single-spaced pages** each week.¹ As with all memos recounting events, they will be far more detailed and reliable if segments are written as soon as possible after the activities they describe. I would like one set of weekly field notes for each student team. We will arrange a regular weekly due date and time for each team. When appropriate, **you and your partner(s) can alternate responsibility for drafting the descriptive portion of the field notes**, but I would like each of

¹ **Please submit the field notes and all papers in an MS Word document set with “narrow margins,” single-spacing, and with a space (or 6 points) between each paragraph.**

you to share your personal interpretations/reflections in the field notes. Please post the field notes to Clio and send me an email when they are complete. The field notes will be a primary means through which I will learn about and assist you with your fieldwork, so attaching or directing me to the documents you are creating or responding to will facilitate my ability to be of assistance. The field notes will also be a key way for me to assess your reflection on your experience.

Seminar Participation

The seminar is a collective undertaking to learn and teach together. Accordingly, **it is essential that everyone attend, prepare in advance for, and actively participate in every class session.** In a group as small as ours, even one person's failure to do the reading or to participate in a discussion has a negative impact on everyone's experience. **If for some reason you need to miss a seminar session, please advise me as far in advance as possible and we will make arrangements for you to write a brief reflection piece on the assigned readings within the following week.**

The seminar will meet weekly on **Mondays and Wednesdays, from 9:40 to 11:50 a.m., in the CJC's large seminar room** on the third floor of 100 McAllister Tower. Seminar time will be a mix of class discussions of assigned readings on political and economic context, CED and lawyering role topics, presentations and question-and-answer sessions with guests, and "rounds" sessions where we discuss project work. We will have a **mandatory all-day training session on Saturday, August 23rd**, from 9:30 a.m. to 4:00 p.m. We will also have two **extended class sessions on Wednesday, September 3rd and Wednesday, October 8th** that will run **until 12:30 p.m.** Please let me know asap if the latter sessions pose a problem.

Writing Assignments

Each of you will prepare a **learning goals memo** identifying and describing with specificity the knowledge, skills, mindsets, habits, and intelligences that you would like to develop and/or hone in the Clinic. This memo, which should be 2-3 single-spaced pages long, is **due by Friday, August 29th at 5:00 p.m.** Please post it to Blackboard. You and I will consult this memorandum over the course of the semester to monitor your progress toward these goals (and to identify potential additions or modifications to them).

You will also write an **analytical essay** comparing your experiences and perceptions about the Tenderloin/Central City and your fieldwork with developments described in Peter Medoff and Holly Sklar's *Streets of Hope: The Fall and Rise of an Urban Neighborhood*, a case study about the transformation of a low-income Boston neighborhood. We also will view two documentaries depicting the Boston developments. The essay should run 5-6 single-spaced pages. The final essay is **due on October 12th by 5:00 p.m.** **A bulleted list of similarities and differences** between the historic situations in Roxbury and the Tenderloin/Central City **is due on October 7th by 5:00 p.m.** (I do not anticipate being able to give you feedback on the bulleted list; the aim is to record your thoughts from reading *Streets of Hope*, before you view the two videos on the Dudley Street Neighborhood Initiative.)

You will also interview a stakeholder living or working in the Tenderloin/Central City, distill the interview into written another "Tenderloin/Central City Chronicle" for future students to read, and present

in class on the experience. The Chronicle entry should run 3 single-spaced pages and is **due on November 16th by 5:00 p.m.** You will verbally present your report in class on November 17th.

At the end of the semester, you will prepare a detailed written **self-assessment** reflecting on your performance and on what you learned from all aspects of the Clinic – about San Francisco and the Tenderloin/Central City, about lawyering and policy, and about yourself. The self-assessment should be 5-6 single-spaced pages and is **due no later than December 16th at 5:00 p.m.**

Grading

I recognize that as responsible adults, your primary motivation comes not in reaction to external incentive structures, but from within – from your interest in rendering the best service you can to your clients. Nonetheless, I do want to provide you with feedback on the quality of your work and to recognize outstanding performance.

The four fieldwork units will be for credit only. The four academic credits will be letter-graded. **All aspects of your work in the Clinic will determine your letter grade.** Seminar participation and contribution to collective learning will count for 20%. Your written work (including your learning goals memo, analytic essay, Tenderloin Chronicles entry, and final self-assessment) will count for 40%. Your project work (including your work on project assignments and your field notes) will count for 40%.

In a class as small as ours, I expect everyone to participate in each classroom session. Classroom participation will be assessed not simply on how often you speak in class, but by the thoughtfulness of your comments and questions, their impact on the discussion and classroom dynamics, and the intellectual engagement and openness they reflect. In addition to your participation in class discussions and rounds sessions, your contribution to collective learning will also be assessed based on your posts to the course blog.

Just as clients do, a significant portion of my evaluation of your fieldwork will turn on your professionalism and the extent to which you take initiative to “go the extra mile” for our client on the project. The quality, thoroughness, and timeliness of your work, as well as your responsiveness to feedback, will also be central. At the end of the semester, we will meet to discuss your written self-assessment, my assessment of your work, and your assessment and suggestions for the course.

Required Texts and Key Websites

CHESTER HARTMAN, *CITY FOR SALE: THE TRANSFORMATION OF SAN FRANCISCO* (2d ed. 2001).

STEFAN KRIEGER & RICHARD NEUMANN, JR., *ESSENTIAL LAWYERING SKILLS: INTERVIEWING, COUNSELING, NEGOTIATING, AND PERSUASIVE FACT ANALYSIS* (3d ed. 2007).

PETER MEDOFF & HOLLY SKLAR, *STREETS OF HOPE* (South End Press 1994).

For San Francisco’s charter, ordinances, and municipal codes, see [http://www.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates\\$fn=default.htm\\$3](http://www.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3).

[0\\$vid=amlegal:sanfrancisco_ca\\$sync=1.](#)

You will likely often consult the websites of the San Francisco Planning Department (www.sf-planning.org) and the San Francisco Board of Supervisors (www.sfbos.org).

Monitoring San Francisco News Sources

There are several local websites that feature stories on political and economic developments affecting the Tenderloin/Mid-Market areas and the rest of San Francisco. **You will need to check them regularly** to see if there are any stories of interest as useful general background information or for your specific project work. As part of the fourth learning goal to augment collective knowledge, **I would like you to regularly post links and comments on stories of interest to the class blog on Blackboard. The expectation is that you each post at least ten (10) times to the blog over the course of the semester.**

For coverage of the Tenderloin/Mid-Market area:

- **Beyond Chron**, www.beyondchron.org. The main editor is Randy Shaw, a Hastings graduate and the long-time Executive Director of the Tenderloin Housing Clinic, which (through various affiliates) advocates for and provides housing to low-income tenants.
- **Central City Extra**, <http://www.studycenter.org/test/cce/>, published by the San Francisco Study Center is a monthly newspaper that focuses on the Tenderloin/Mid-Market.

For coverage of citywide political, economic, and development issues (listed alphabetically):

- **48 Hills**, <http://48hillsonline.org>, published by Tim Redmond, former political editor of the *San Francisco Bay Guardian*
- **San Francisco Bay Guardian**, <http://www.sfbg.com/politics>
- **San Francisco Business Times**, <http://www.bizjournals.com/sanfrancisco/>. (This is by-subscription-only, but Ascanio subscribes and will post key information.)
- **SFist**, <http://sfist.com>
- **SocketSite**, www.socketsite.com, a blog on San Francisco real estate “tips, trends, and scoops”
- **SPUR blog**, <http://www.spur.org/blog>, published by SPUR (formerly the San Francisco Planning and Urban Research Association).
- **The Usual Suspects**, <http://www.sfusualsuspects.com/>, aggregates and links to political news from the *Chronicle*, *Examiner*, occasionally the *Bay Guardian*, and other media.

CLASS SESSIONS AND ASSIGNMENTS (subject to change)

1. [Monday, August 18, 9:40-11:50 am.](#)

Introductions to the Course, Each Other, CED, and Lawyering

Reading:

- Roger Clay, Jr. & Susan Jones, *What is Community Economic Development*, in ROGER A. CLAY, JR. & SUSAN R. JONES, BUILDING HEALTHY COMMUNITIES: A GUIDE TO COMMUNITY ECONOMIC DEVELOPMENT FOR ADVOCATES, LAWYERS, AND POLICYMAKERS 3-12 (2009);
- Excerpts on Multiple Intelligence by Joyce Martin and by Peggy Cooper Davis;
- Summary of Marjorie Shultz & Sheldon Zedeck's Lawyering Effectiveness Factors;
- Excerpt from Stefan Krieger & Richard Neumann, Jr., *Professionalism* (Chapter 2) in STEFAN H. KRIEGER & RICHARD NEUMANN, JR., ESSENTIAL LAWYERING SKILLS: INTERVIEWING, COUNSELING, NEGOTIATION, & PERSUASIVE FACT ANALYSIS 7-15 (4th ed. 2011) [KRIEGER & NEUMANN];
- Excerpt from Krieger & Neumann, *Lawyering for and with the Client* (Chapter 3) in KRIEGER & NEUMANN, ESSENTIAL LAWYERING SKILLS 21-29.

2. [Wednesday, August 20, 9:40-11:50 am.](#)

Introduction to Lawyering with Community Groups

Reading:

- Susan Bennett, Brenda Bratton Blom, Louise Howells & Deborah Kenn, *Introduction to Community Development Lawyering*, in SUSAN BENNETT, BRENDA BRATTON BLOM, LOUISE HOWELLS & DEBORAH KENN COMMUNITY ECONOMIC DEVELOPMENT LAW: A TEXT FOR ENGAGED LEARNING 33-40 (2012);
- Excerpts from Ascanio Piomelli, *Appreciating Collaborative Lawyering*, 6 CLINICAL L. REV. 427, 427-29, 486-513 (2001);

In-Class Video:

- *So Goes A Nation: Lawyers and Communities* (Fordham Univ. 1998) available for preview (or re-viewing) at <http://archive.org/details/SoGoesANation>.

3. [Saturday, August 23, 9:30-noon \(Note date and time!\)](#)

SF Development History I: The Era of Mass Displacement: The Fillmore and Yerba Buena

Reading:

- CHESTER HARTMAN, CITY FOR SALE: THE TRANSFORMATION OF SAN FRANCISCO, 1-212 (2d ed. 2002);
- Rachel Brahinsky, "Hush Puppies," *Communalist Politics, and Demolition Governance: The Rise and Fall of the Black Fillmore*, in TEN YEARS THAT SHOOK THE CITY: SAN FRANCISCO 1968-1978 (Chris Carlsson & Lisa Ruth Elliott, eds., 2011).

In-Class Video:

- Rick Butler (director), *The Fillmore*, from Neighborhoods: The Hidden Cities of San Francisco (KQED Video 2000).

Pre-class assignment: Prepare (and electronically submit a copy) of your notes/talking points

on:

- three (3) key themes/impressions/lessons you took from Hartman's book;
- two (2) passages/sections that most struck you (positively or negatively) and why;
- how you imagine the legacy of the history that Hartman recounts impacts contemporary development politics in San Francisco; and
- lessons you draw about lawyers' roles in the struggles over redevelopment

4. [Saturday, August 23, noon-4:00 pm](#) (*Note date and time!*)

Introduction to Fieldwork Projects and Preparing to Interview Clients

Reading:

- Excerpt from "Interviewing: The Beginning of the Attorney-Client Relationship" in ALICIA ALVAREZ & PAUL TREMBLAY, *INTRODUCTION TO TRANSACTIONAL LAWYERING PRACTICE* 21-68 (2013).
- Confidential Legal Memorandum on Fall 2014 Projects
- CED Clinic Opening Memo template

Introduction to Confidentiality, Conflicts of Interest, Clio, and the Clinic Office

Reading:

- California Rule of Professional Responsibility 3-100 (re duty of confidentiality)
- California Rule of Professional Responsibility 3-310 (re avoiding conflicts of interest).
- California Rule of Court 9.42
- Rules on the Practical Training of Law Students
- Clio Clinic Student User Guide

5. [Monday, August 25, 9:40-11:50 am.](#)

SF Development History II: Organized Responses to Displacement & Downtown Expansion

Guest Presenter: Marcia Rosen

Reading:

- MARCIA ROSEN & WENDY SULLIVAN, *FROM URBAN RENEWAL AND DISPLACEMENT TO ECONOMIC INCLUSION: SAN FRANCISCO AFFORDABLE HOUSING POLICY 1978-2012* (2012);
- Calvin Welch, *The Fight to Stay: The Creation of the Community Housing Movement: 1968-1978*, in *TEN YEARS THAT SHOOK THE CITY: SAN FRANCISCO 1968-1978* at 154-162 (Chris Carlsson & Lisa Ruth Elliott, eds., 2011);
- Randy Shaw, *Tenant Power in San Francisco*, in *RECLAIMING SAN FRANCISCO: HISTORY, POLITICS, CULTURE* 287-300 (James Brook, Chris Carlsson & Nancy J. Peters, eds., 1998).
- Review CHESTER HARTMAN, *CITY FOR SALE: THE TRANSFORMATION OF SAN FRANCISCO*, 213-401 (2d ed. 2002).

Pre-class assignment due by 9:00 p.m. on Sunday, August 25th: Post to the Discussion Forum on Blackboard your list of what you consider the 3 most significant/interesting San Francisco policy initiatives mentioned in the readings and also post 3 questions you have for Marcia Rosen.

6. [Wednesday, August 27, 9:40-11:50 am.](#)

SF Development History III: The Dot.com Boom and Bust and the Struggle Over Gentrification of SoMa and the Mission

Reading:

- “Dot-com Boom and Struggles in the Mission” (chapter 4 of) KARL BEITEL, LOCAL PROTEST, GLOBAL MOVEMENTS: CAPITAL, COMMUNITY, AND STATE IN SAN FRANCISCO 62-85 (2013).

In-Class Film:

- Francine Cavanaugh, A. Mark Liiv & Adam Wood (directors), *Boom: The Sound of Eviction* (Whispered Media 2001).

** [Friday, August 29th by 5:00 p.m. – due date for Learning Goals Memo](#)

Writing Assignment: Please prepare a **learning goals memo, as described in the memo posted to Blackboard**, identifying and describing with specificity the knowledge, skills, mindsets, habits, and intelligences that you would like to develop and/or hone in the Clinic. In drafting the memo, please consult and integrate the materials below. Please post the memo, which should be 2-3 single-spaced pages long, to Blackboard. We will consult this memorandum over the course of the semester to monitor your progress toward these goals (and to identify potential additions or modifications to them).

Reading:

- Instructions on CED Learning Goals Memo;
- Excerpts from Susan Bryant, *Collaboration in Law Practice: A Satisfying and Productive Process for a Diverse Profession*, 17 VERMONT L. REV. 459 (1992-93);
- Chapter 4 (Lawyering As Problem-Solving) and Chapter 5 (Communication Skills), KRIEGER & NEUMANN, ESSENTIAL LAWYERING SKILLS 29-41, 43-52;
- REVIEW READINGS FOR CLASS #1.

7. [Wednesday, September 3, 9:40 am–12:30 pm \(Note extended time!\)](#)

The Tenderloin I: An Introduction, History, and Walking Tour

Guest Presenter: Brad Paul

Reading:

- Larry Wonderling, “Prologue” and “The San Francisco Tenderloin: A Chronicle of Myth and Reality,” in LARRY WONDERLING, SAN FRANCISCO TENDERLOIN: HEROES, DEMONS, ANGELS, AND OTHER TRUE STORIES ix-xi, 1-28 (2001);
- Rob Waters & Wade Henderson, *The Tenderloin: What Makes a Neighborhood*, in RECLAIMING SAN FRANCISCO: HISTORY, POLITICS AND CULTURE 301-316 (James Brook, Chris Carlsson & Nancy Peters, eds., 2001);
- Wikipedia, *Tenderloin, San Francisco*, http://en.wikipedia.org/wiki/Tenderloin,_San_Francisco;
- Joan Ryan, *A Girl on the Verge: Growing Up Too Fast in the Tenderloin*, S.F. CHRONICLE MAGAZINE, July 8, 2007, available at <http://www.sfgate.com/magazine/article/A-Girl-on-the-Verge-Growing-up-too-fast-in-the-2582719.php>;

- Colby Buzzell, *Getting By in the Tenderloin*, S.F. CHRONICLE MAGAZINE, Aug. 5, 2007, available at <http://www.sfgate.com/magazine/article/Getting-By-in-the-Tenderloin-2512288.php>;
- Eric Miller, *The Tenderloin: San Francisco's Fountainhead*, SUSTAINABLE CITY NEWS, July 18, 2013, available at <http://www.newcolonist.com/tenderloin.html>;
- Randy Shaw, *How Leroy Looper Forever Changed San Francisco*, BEYOND CHRON, Sept. 13, 2011, <http://www.beyondchron.org/news/index.php?itemid=9508>;
- Randy Shaw, *Mailbox Rule Reflects San Francisco's Unique Commitment to SROs*, BEYOND CHRON, Apr. 4, 2006, <http://www.beyondchron.org/news/index.php?itemid=3119>;
- Karin S. Drucker, *SRO Tenants Work for Health, Safety of Tenderloin*, BEYOND CHRON, Aug. 15, 2013, <http://www.beyondchron.org/news/index.php?itemid=11714#more>;
- Gary Kamiya, *San Francisco Still Has a Seedy Heart: San Francisco's Tenderloin is Gritty, Gross and Maybe a Little Sexy. How Does It Survive?*, SALON, Aug. 4, 2013, available at http://www.salon.com/2013/08/04/americas_last_seedy_neighborhood/.

8. [Monday, September 8, 9:40-11:50 am.](#)

Impact Fees, Nexus Studies, and Constitutional Limitations on Regulatory Takings

Guest Presenter: Andrew Schwartz (Shute Mihaly & Weinberger)

Reading:

- Excerpts from Chapter 18 on “Exactions: Dedications and Development Impact Fees,” in CEB, CALIFORNIA LAND USE PRACTICE §§ 18.7, 18.49-18.60, and 18.65-18.82315-351 (2006) available online through the CEB OnLAW portal from the UC Hastings Library page
- *Lingle vs. Chevron, USA*, 544 U.S. 528 (2005)
- *Koontz vs. St. John's River Water Mgm't District*, 133 S. Ct 2586 (2013).
- Andrew W. Schwartz, *Koontz vs. St. John's River Water Management District: Amnesia or Confusion, or Both?* (2014)

9. [Wednesday, September 10, 9:40-11:50 am.](#)

The CPMC Campaign

Reading:

- Excerpts from Mark Neal Aaronson, *Judgment-Based Lawyering: Structuring Seminar Time in a Non-Litigation Clinic* (June 12, 2013 Draft)
- Calvin Welch, *Memo to CCHO Members: Report on Final Approved Development Agreement for the CPMC Project at Cathedral Hill and St. Luke's*, July 2013.
- James Tracy, *What Is Good in this Neighborhood*, Nov. 5, 2009, <http://goodneighborsanfrancisco.wordpress.com/2009/11/05/what-is-good-in-this-neighborhood/>
- Steve Woo, *Unlock Healthcare*, May 10, 2010, <http://goodneighborsanfrancisco.wordpress.com/2010/05/10/unlock-healthcare/>
- Randy Shaw, *Community Groups and Health Advocates Face CPMC in Planning Commission Showdown*, BEYOND CHRON, Sept. 20, 2010, <http://beyondchron.org/news/index.php?itemid=8514>

- Bob Prentice, *The Battle of Cathedral Hill*, BEYOND CHRON, Jan. 24, 2011, <http://www.beyondchron.org/news/index.php?itemid=8838>
- James Tracy, *Community & Workers' Rights Board Hearing on CPMC \$2.3 Billion Hospital Development Plan*, <http://goodneighborsanfrancisco.wordpress.com/2011/01/24/community-workers%E2%80%99-rights-board-hearing-on-cpmc-2-3-billion-hospital-development-plan/>
- Steve Woo, *CPMC's Lack of Service to the Poor*, Mar. 30, 2011 (presenting data developed by CED Clinic students), <http://goodneighborsanfrancisco.wordpress.com/2011/03/30/cpmcs-lack-of-service-to-the-poor/>
- Steven T. Jones, *CPMC's New Numbers Threaten St. Luke's and the Mayor's Deal*, S.F. BAY GUARDIAN, June 27, 2012, <http://www.sfbg.com/politics/2012/06/27/cpmcs-new-numbers-threaten-st-lukes-and-mayors-deal>
- Calvin Welch, *Chronology of a Successful Community/Labor Coalition: The Battle Over Rebuilding CPMC the Right Way*

Video to view before class:

Dyan Ruiz & Joseph Smooke, *Community Victory over Major Healthcare Corporation*, PEOPLE POWER MEDIA, July 2, 2013, <http://www.peoplepowermedia.net/health/community-victory-over-major-healthcare-corporation>

10. [Monday, September 15, 9:40-11:50 am.](#)

SF Development History IV: The Central Market Economic Strategy & Payroll Expense Tax Exclusion

Guest presenter: Amy Cohen (Mayor's Office of Economic & Workforce Development)

Reading:

- SF Office of Economic & Workforce Development & AECOM, Central Market Economic Strategy, <http://oewd.org/media/docs/CentralMarketEconomicStrategy.pdf>
- SF Office of Economic & Workforce Development, Central Market Turnaround 2011-2014, <http://oewd.org/media/docs/Central%20Market/CENTRAL%20MARKET%20TURNAROUND%2004-14-14.pdf>
- SF Office of Economic & Workforce Development, Central Market/Tenderloin Payroll Expense Tax Exclusion, at http://oewd.org/Central_Market_Tax_Credit.aspx
- Randy Shaw, *Setting the Record Straight on Twitter, Mid-Market*, BEYOND CHRON, Nov. 14, 2012, <http://www.beyondchron.org/news/index.php?itemid=10698>
- Randy Shaw, *SF Chronicle Misrepresents, Confuses Twitter Tax-Break Costs*, BEYOND CHRON, Oct. 31, 2013, <http://beyondchron.org/sf-chronicle-misrepresents-confuses-twitter-tax-break-costs/>

11. [Wednesday, September 17, 9:40-11:50 am.](#)

Community Benefits Agreements

Guest presenter: Julian Gross (Law Office of Julian Gross)

Reading:

- Julian Gross, *Community Benefits Agreements*, in ROGER A. CLAY, JR. & SUSAN R. JONES, BUILDING HEALTHY COMMUNITIES: A GUIDE TO COMMUNITY ECONOMIC DEVELOPMENT FOR ADVOCATES, LAWYERS, AND POLICYMAKERS 189-204 (2009);
- Community Benefit Agreement Memorandum of Understanding Between San Francisco City Administrator and Twitter, Inc. (2013), available at <http://www.sfgsa.org/modules/showdocument.aspx?documentid=9687>
- Dearborn Street Community Benefit Agreement (2008), available at http://www.juliangross.net/docs/CBA/Dearborn_Street_Agreement.pdf

12. [Monday, September 22, 9:40-11:50 am.](#)

SF Development History V: Community Planning in 21st Century San Francisco

Guest presenters: Calvin Welch, Peter Cohen & Fernando Marti (CCHO - Council of Community Housing Organizations)

13. [Wednesday, September 24, 9:40-11:50 am.](#)

Case/Project Planning & Rounds

Reading:

- Kenney F. Hegland, “Legal Problem Solving,” in TRIAL AND PRACTICE SKILLS IN A NUTSHELL 13-29 (3d ed. 2002);
- Review Chapter 4 (Lawyering As Problem-Solving) of KRIEGER & NEUMANN, ESSENTIAL LAWYERING SKILLS 29-41;
- Chapter 19 (An Example of Counseling: The Plant Closing) of KRIEGER & NEUMANN, ESSENTIAL LAWYERING SKILLS 231-36;
- Excerpt on “Problem Solving” from AMERICAN BAR ASSOCIATION SECTION ON LEGAL EDUCATION AND ADMISSIONS, REPORT ON THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION (1992) (a/k/a The MacCrate Report”);
- CED Clinic Case Planning Memo template.

14. [Monday, September 29, 9:40-11:50 am.](#)

The Tenderloin II: Exploring and Augmenting Our Institutional Knowledge

Reading:

- CED Clinic, *Tenderloin Chronicles* (TC)
 - Each student will read a different segment of past TC’s and will post to the Blackboard discussion group and present in class on the most interesting entries;
- *Central City Extra* (CCE), available at <http://www.studycenter.org/test/cce/>
 - All students will read issues 136-147 (August 2013-August 2014)
 - Each student will also read a different segment of 3 earlier CCE’s and will post to the Blackboard discussion group and present in class on the most interesting stories.

Pre-Class Assignment due on or before Sunday, September 28th, at 5:00 p.m.

- Post summaries and excerpts of the most interesting TC entries and CCE stories you found in the portions specially assigned to you to Blackboard discussion forum.

Wednesday, October 1 – no class, UC Hastings “stretch day”

15. Monday, October 6, 9:40-11:50 am.

Counseling Clients

- Krieger & Neumann, *What Happens When a Lawyer Counsels a Client?* (Sections 18.1, 18.2, 18.4-18.6.)
- Krieger & Neumann, *An Example of Counseling: The Plant Closing* (Chapter 19)
- Krieger & Neumann, *Preparing for Counseling: Structuring the Options* (Sections 20.1-20.3.1)
- Krieger & Neumann, *The Counseling Meeting with the Client* (Chapter 21).

16. Wednesday, October 8, 9:40 a.m. -12:30 p.m. (Note extended class will run until 12:30 pm)

The Dudley Street Neighborhood Initiative I

Reading:

- PETER MEDOFF & HOLLY SKLAR, *STREETS OF HOPE* (South End Press 1994).
- Review readings/notes from Classes #7 and #14 on the Tenderloin

In-class videos: *Holding Ground* and *Gaining Ground*

Pre-class assignment due by 5:00 p.m. on Tuesday, October 7th: Post to Blackboard an outline/bulleted list of similarities and differences between the Dudley Street Initiative in Boston’s Roxbury neighborhood with historic and contemporary efforts in SF’s Tenderloin/SoMa/Central City neighborhoods. I do not anticipate being able to give you feedback on the outline/list. The aim is to record your thoughts from reading *Streets of Hope*, before you view the two videos on the Dudley Street neighborhood Initiative.

17. Monday, October 13, 9:40-11:50 am.

Comparing Issues and Approaches in Roxbury and the Tenderloin/SoMa/Central City

Pre-class assignment due by 5:00 p.m. on Sunday, October 12th: After reading *Streets of Hope* and reviewing the readings assigned for Class #7 on 9/3 and Class #14 on 9/29, please write a **5-6-page, single-spaced essay** comparing and contrasting the Dudley Street Initiative in Boston’s Roxbury neighborhood with historic and contemporary efforts in SF’s Tenderloin/SoMa/Central City neighborhood. Discuss the issues faced by each neighborhood and the methods used to address them. Among the dimensions you might consider are the roles played by: government policy (federal, state & local); city politics; the finance, insurance, and real estate sector; race & ethnicity; age demographics; non-profits; foundations; local businesses; neighborhood residents; law; organizing; planning; and policy. Also identify the new questions you have about the Tenderloin/SoMa/Central City after reading *Streets of Hope* and how you might go about answering them. Please post your essay to Blackboard.

18. Wednesday, October 15

Rounds: 30-40 minute presentations from each team

19. Monday, October 20, 9:40-11:50 am.

SF Development History VI: A Vision of the Future: Plan Bay Area

Reading:

- Tim Redmond, *Planning for Displacement: Regional Planners Want to Put 280,000 More People into San Francisco – And They Admit Many Current Residents Will Have to Leave*, SAN FRANCISCO BAY GUARDIAN, May 28, 2013, available at <http://www.sfbg.com/2013/05/28/planning-displacement>
- Fernando Marti, *Whose Future? Smart Growth in San Francisco* (2013), available at <http://www.sfccho.org/wp-content/uploads/2014/02/Whose-Future-final.pdf>
- California Housing Partnership Corporation & TransForm, *Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy* (2014)
- CCHO-selected excerpts from Plan Bay Area materials on displacement, available at http://www.sfccho.org/wp-content/uploads/2013/07/Plan-Bay-Area_Displacement-resp-FEIR_3_1_Master_Responses.pdf
- Plan Bay Area 2040, Final Environmental Impact Report, Master Response re Displacement, available at http://www.sfccho.org/wp-content/uploads/2013/07/Plan-Bay-Area_Displacement-resp-FEIR_3_1_Master_Responses.pdf
- Peter Cohen & Fernando Marti, *Plan Bay Area: Better, But It Still Gentrifies*, *SF Bay Guardian*, Jul. 30, 2013, available at <http://www.sfbg.com/2013/07/30/plan-bay-area-better-it-still-gentrifies>
- San Francisco Bay Guardian Political Blog, *Plan Bay Area Takes Legal Punches from the Left and the Right*, Aug. 20, 2013, <http://www.sfbg.com/politics/2013/08/19/plan-bay-area-takes-legal-punches-left-and-right>

Optional Reading:

- Gen Fujioka, *A Bay Area Plan for Development and Displacement*, *Beyond Chron*, Jul. 29, 2013, available at <http://www.beyondchron.org/news/index.php?itemid=11633>
- Dukakis Center, Executive Summary, *Maintaining Diversity in America's Transit-Rich Neighborhoods: Tools for Equitable Neighborhood Change* (Oct. 2010).
- Greenbelt Alliance, *Grow Smart Bay Area* (Jun 2009)
- Housing Agenda for Bay Area SCS (Sustainable Communities Strategy) (Nov 2011)
- Investment without Displacement Agenda for Bay Area SCS (Sep 2011)

Pre-class assignment due by 9pm on Sunday, October 19th: Please post 3 questions on Plan Bay Area or Transit Oriented Development to pose to Peter Cohen to the Discussion Forum on Blackboard.

Wednesday, October 22, 9:40-11:50 am.

No Class

20. Monday, October 27, 9:40-11:50 am.

The Lawyer's Role in Working with and for Community Groups

Reading

- Excerpts from Michael Diamond, *Community Lawyering: Revisiting the Old Neighborhood*, 68 COLUMBIA HUMAN RIGHTS L. REV. 67 (2000)

21. [Wednesday, October 29, 9:40-11:50 am.](#)
Rounds
Pre-class assignment: Email Ascanio the identity of the Tenderloin/Central City stakeholder whom you will interview for your Tenderloin/Central City Chronicle entry and the date you have scheduled to interview her/him.
22. [Monday, November 3, 9:40-11:50 am.](#)
Thoughts of a Former Mayor and Speaker
Guest presenter: The Honorable Willie L. Brown, Jr.
Pre-class assignment due by 5pm on Sunday, November 2nd: Please post 3 questions for Mayor Brown to the Discussion Forum on Blackboard.
23. [Wednesday, November 5, 9:40-11:50 am.](#)
Redevelopment Law: Its Demise and Potential Replacement
Guest presenter: Michael Lane (Nonprofit Housing Association of Northern California)
 Reading: TBD
Pre-class assignment due by 5pm on Tuesday, November 4th: Please post 3 questions for Mr. Lane to the Discussion Forum on Blackboard.
24. [Monday, November 10, 9:40-11:50 am.](#)
The Hunter's Point Shipyard CBA
Guest presenter: Julian Gross (Law Office of Julian Gross)
 Reading:
 - Core Community Benefits Agreement for Hunters Point Shipyard/Candlestick Point Integrated Development Project available at http://juliangross.net/docs/CBA/Hunters_Point_Agreement.pdf
 - Excerpts from Krista Leetmaa, *Community Engagement and Benefits Processes at the Shipyard Project, San Francisco.***Pre-class assignment due by 5pm on Sunday, November 9th:** Please post 3 questions about the CBA/Shipyard Project to the Discussion Forum on Blackboard.
25. [Wednesday, November 12, 9:40-11:50 am.](#)
Rounds
26. [Monday, November 17, 9:40-11:50 am.](#)
In-class Presentations on Tenderloin/Central City Chronicles Interviews
Pre-class assignment due by 5:00 p.m. on Sunday, November 16th: Submit 3-page Tenderloin/Central City Chronicle entry.
- [Wednesday, November 19 – no class, UC Hastings “stretch” day](#)
27. [Friday, November 21, 9:40-11:50 am. \(Note date: an academic Friday\)](#)
Final Rounds/Class Breakfast
Post-class assignment due by December 16 at 5pm: Detailed written self-assessment

reflecting on your performance and summarizing what you learned from all aspects of the Clinic – about San Francisco and the Tenderloin/Central City, about lawyering and policy, and about yourself. The self-assessment should be 5-7 single-spaced pages.